HIGH COURT OF SIKKIM
GANGTOK

No: 14/HCS   Dated: 18.06.2010

THE HIGH COURT OF SIKKIM PUBLIC INTEREST
LITIGATION RULES, 2010

NOTIFICATION

⁕ In exercise of the powers conferred by Section 8 of the High Court of Judicature (Jurisdiction and Powers) Proclamation of 1955 as amended by the Adaptation of Sikkim Laws (No.1) Order 1975 and all other powers enabling it in this behalf, the High Court of Sikkim with the previous approval of the Government of Sikkim makes the following Rules : -

(I)   These Rules shall be called "The High Court of Sikkim Public Interest Litigation Rules, 2010".

(II)   They shall come into force from the date of their publication in the Official Gazette.

(III)   All petitions pertaining to Public Interest Litigation shall be placed before the Division Bench of which the Hon'ble Chief Justice of the High Court of Sikkim is a Member. In the event the companion Judge of the Division Bench of the High Court of Sikkim is unable for any reason to take up the matter and in the event no other Judge is available, the application shall be placed before the Single Bench presided by the Hon'ble Chief Justice.

(Iv)   After hearing the submissions made by the litigants or their lawyers, and in the event the Division Bench or the Single Bench referred to in the preceding sub-Rule, is satisfied that the litigation is a genuine Public Interest Litigation, it shall record an order to that effect and thereupon admit the applications.

(v)   The procedure in relation to such admitted Public Interest Litigation shall thereafter be such as is available for disposal of Writ Petitions filed in the High Court of Sikkim.

(vI)   Every effort shall, however, be made so that such admitted application are heard and decided by a Division Bench of which the Chief Justice of the High Court of Sikkim is a Member.

By order,

Meenakshi M. Rai
REGISTRAR GENERAL